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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.         | CONFIRMATION NO.       |
|--|-------------|----------------------|-----------------------------|------------------------|
| 10/767,681   | 01/29/2004  | Gang Luo             | 11338 (NCR.0120US)          | 7097                   |
| 26890 7590 05/15/2008<br>JAMES M. STOVER<br>TERADATA CORPORATION<br>2835 MIAMI VILLAGE DRIVE<br>MIAMISBURG, OH 45342 |             |                      | EXAMINER<br>TRUONG, CAM Y T |                        |
|  |             |                      | ART UNIT<br>2162            | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>05/15/2008     | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/767,681

**Applicant(s)**

LUO ET AL.

**Examiner**

Cam Y. T. Truong

**Art Unit**

2162

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 18 April 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-4, 9-15, 18 and 20-26.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Cam Y Truong/  
Primary Examiner, Art Unit 2162

Continuation of 11, does NOT place the application in condition for allowance because:

Applicant argued that use of "adapted to" in claims is appropriate. In response to applicant's argument, the phrase "adapted to" in claims does not require steps to be performed.

Applicant argued that Ganesh'943 does not teach the concept of partitioning into first and second sessions. Examiner respectfully disagrees. Ganesh43 teaches For the purposes of illustration, consider the following sequence of transactions which executes the indicated database statements (in SQL-based pseudocode) against a database table "Emp\_Table" having the structure Emp\_Table (emp\_name, emp\_value): (15) At commit time 5--Transaction T1 commits having executed the following statement: (16) INSERT INTO Emp\_Table VALUES ('Smith', X); (17) At commit time 10--Transaction T2 commits having executed the following statement: (18) INSERT INTO Emp\_Table VALUES ('Jones', Y); (19) At commit time 15--Transaction T3 commits having executed the following statements: (20) UPDATE Emp\_Table SET emp\_value=X+1 WHERE emp\_name='Smith'; (21) UPDATE Emp\_Table SET emp\_value=Y+1 WHERE emp\_name= Jones (col. 4, lines 60-67; col. 5, lines 20). The above information shows that statements are divided for execution for commit times (as sessions).

Applicant argued that the obviousness rejection of claim is defective. Examiner respectfully disagrees. As discussed in the Final Office Action. The Ganesh is related to modifying database by using modification operations (col. 3, lines 38-46. Similarly, Ganesh43 is related to update a database using statements (fig. 2, con. 7, lines 22-40). Importantly, Ganesh43 teaches dividing statements into commit times (col. 4, lines 60-67). Thus, It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ganesh43's teaching of storing transactions in a table, transactions must be scheduled to begin after all other transactions having SCN values of 5 or less have completed and committed and to Ganesh's system in order to scheduling the transactions for preventing conflict when multiple transactions trying to modify database records at the same time and further minimize network traffic and achieve maximum performance (col. 9, line 40-41).

As discussed above, the obviousness rejection for claims are proper.

Applicant argued that there is no teaching subject matter of claim 22. Examiner respectfully disagrees. Examiner addressed clearly all of claimed limitations of claim 22 that are rejected by the references in the currently Office action.

Applicant argued that there is not teaching modification operation that operate on a set of one or more tuples of a first based relation are grouped by a controller. Since transaction TXA has a dependent SCN of "0", this transaction is not dependent upon any other transactions, and can be ordered before, after or parallel to any other transaction, subject to the ordering/dependency constraints of these other transactions. Transactions TXB, TXC, and TXE all have dep\_SCN values of 5; therefore, these transactions must be scheduled to begin after all other transactions having SCN values of 5 or less have completed and committed (col. 16, lines 66-67; col. 17, lines 1-30). Ganesh43 teaches transaction T5 commits at time 25 having executed the following statements: UPDATE Emp\_Table SET Emp\_value=Emp\_value+1 WHERE emp\_name='Smith'; DELETE FROM Emp\_Table WHERE emp\_name='Miller'. Statements are represented as modification operations that are grouped in the transaction T5 (col. 5, lines, 1-20, fig. 2). Transactions 1-5 are scheduled (col. 7, lines 22-40).

For the above reason, Examiner believed that the Final Office Action mailed on 2/8/2008 is proper and the cited references teach the claimed invention..